

( Doc. No. 124. )

FEBRUARY 9, 1843.

Read twice, and committed to the Committee of the Whole House on the state of the Union.

Mr. FILLMORE, from the Committee of Ways and Means, reported the following bill :

## A BILL

To bring into the Treasury moneys received by certain public officers, before they can be disbursed, and for other purposes.

1       *Be it enacted by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled, That,*  
3       from and after the thirtieth day of June next, all moneys re-  
4       ceived on account of the objects hereinafter mentioned, and  
5       coming into the hands of the following-described officers,  
6       shall immediately on the receipt thereof be paid into the  
7       Treasury of the United States, under such rules, regulations,  
8       and forms, as may be prescribed by the Secretary of the  
9       Treasury, to wit: All moneys received by collectors or other  
10      officers of the customs, for duties upon imports and tonnage,  
11      marine hospital tax, or on account of suits instituted for  
12      frauds against the revenue laws, or for rent and storage of  
13      goods, wares, or merchandise, which may be stored in the  
14      public storehouses; also, all moneys received by the afore-  
15      said officers, or by any marshal, district attorney, or clerk of  
16      a United States court, for and on account of fines, penalties,

17 and forfeitures, incurred under any existing law of the Unit-  
18 ed States.

1        SEC. 2. *And be it further enacted*, That it shall be the  
2 duty of every district attorney and clerk, at the close of every  
3 term of the circuit or district court, within their respective  
4 districts, to make separate reports to the Solicitor of the  
5 Treasury of all judgments recovered in favor of the United  
6 States, and all fines imposed during such term, specifying  
7 the amount thereof, the names of the persons against whom  
8 the judgment is obtained, or on whom the fine or penalty is  
9 imposed, and, if for a fine or penalty, the act under which it  
10 accrued ; and it shall be the duty of said Solicitor to see that  
11 the same are promptly collected, and the money paid into  
12 the Treasury of the United States, as provided in this act ;  
13 and annually, at the commencement of each session, to report  
14 to Congress the amount of judgments obtained, and of fines  
15 imposed, and the amount of each collected for the preceding  
16 fiscal year.

1        SEC. 3. *And be it further enacted*, That sufficient money  
2 to defray the expenses and meet such necessary disburse-  
3 ments in the collection of the revenue from duties, as have  
4 heretofore been usually paid out of the same before the nett  
5 amount was paid into the Treasury, is hereby appropriated  
6 to that object, out of any moneys in the Treasury not other-  
7 wise appropriated, for the fiscal year commencing on the first  
8 day of July next, and ending on the thirtieth day of June, one

9 thousand eight hundred and forty-four; but it shall be the  
 10 duty of the Secretary of the Treasury, at the commencement  
 11 of the next session of Congress, and annually thereafter, to  
 12 submit to the House of Representatives detailed estimates  
 13 for all such expenses and disbursements, in the same manner  
 14 that other estimates are now required by law to be submitted;  
 15 and after the said thirtieth day of June, one thousand eight  
 16 hundred and forty-four, no such expenses or disbursements  
 17 shall be paid, except on appropriations by law: *Provided,*  
 18 That nothing herein contained shall be construed to change  
 19 the law, as it now stands, for the payment of drawbacks and  
 20 the refunding of unascertained duties, or duties paid under  
 21 protest.

1        SEC. 4. *And be it further enacted,* That each district at-  
 2 torney of the United States shall be required to give bond  
 3 and ample security, in such penal sum as the Secretary of the  
 4 Treasury may prescribe, for the prompt payment into the  
 5 Treasury of all moneys which may come into his hands, be-  
 6 longing to the United States, and for the faithful discharge  
 7 of his public duties; and the Secretary of the Treasury is  
 8 hereby authorized, from time to time, as the public interests  
 9 may require, to increase the penalty and require additional  
 10 security, in the case of any official bond given by any clerk,  
 11 marshal, or district attorney of the United States.

1        SEC. 5. *And be it further enacted,* That any officer  
 2 aforesaid, who shall refuse or neglect to pay into the Treasury

3 the moneys coming into his hands, as directed by this act,  
4 shall be deemed and adjudged guilty of a felonious embez-  
5 zlement of so much of the public moneys as said officer may  
6 thus refuse or neglect to pay into the Treasury ; and any  
7 such officer shall be liable to the pains and penalties imposed  
8 by the second section of an act approved the thirteenth day  
9 of August, one thousand eight hundred and forty-one, enti-  
10 tled " An act to repeal the act entitled ' An act to provide for  
11 the collection, safe keeping, transfer, and disbursement of the  
12 public revenue, and to provide for the punishment of embez-  
13 zlers of public money, and for other purposes.' "

1 SEC. 6. *And be it further enacted*, That the Secretary  
2 of the Treasury be, and he is hereby, authorized to prescribe  
3 such rules and regulations for carrying this act into effect,  
4 and ensuring the prompt collection and payment of all  
5 moneys, by the officers aforesaid, as he may judge expedient,  
6 not inconsistent with the laws of the United States ; and so  
7 much of all acts heretofore passed as are inconsistent with  
8 this act are hereby repealed.